

Application/Control No.: 09/512,087
Art Unit 3622
Examiner Champagne

REMARKS

Status of the Claims

Claims Pending:

Claims (Previously Presented) 1, 2, 4, 5, 6, 10, 11, 14, 15, and 16

Claims (Original) 3, 7-9, 12-13, and 17-20

Election/Restriction Requirement

The Examiner has required restriction under 35 U.S.C. § 121 between claims 1-4 and 16-20 drawn to a system classified in class 715, subclass 744 and claims 6-15 drawn to a method in class 705, subclass 14. It is the Examiner's position that the inventions are distinct because it can be shown that 1) the process as claimed can be practiced by another materially different apparatus or by hand, or 2) the apparatus as claimed can be used to practice another and materially different process. Specifically, the Examiner states that the apparatus/system can be used for un-customized display for purposes other than electronic marketing.

Applicant respectfully traverses the restriction. It is respectfully submitted that the claims are directed generally to a system and method for customizing displays according to user preferences. Examination of all of the claims is not a serious burden on the patent examiner because an important aspect of the claims is display customization in relation to user preferences. This aspect of the claims limits the scope of the search that is required. In response to the restriction requirement, Applicants

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hereby provisionally elects the invention of claims 1-4 and 16-20, inclusive, for examination. Applicants' election is made without prejudice.

Applicant respectfully requests that the Examiner reconsider the restriction requirement and issue an action on the merits of all of the claims.

Respectfully submitted,

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